

JUDGE GROTTY  
AO Form (Rev. 8/04) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

State of New York, State of Illinois, State of  
Maryland, State of Washington

**SUMMONS IN A CIVIL ACTION**

v.

Unit States Department of Health and Human  
Services

CASE NUMBER: 07 CV

**07 CV 8621**

TO: (Name and address of Defendant)

United States Department of Health and Human Services, 200  
Independence Avenue S.W., Washington, D.C. 20201

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Andrew M. Cuomo, Attorney General of the State of New York, 120  
Broadway, 24th Floor, New York, New York 10007;  
Lisa Madigan, Attorney General of the State of Illinois, Office of the  
Attorney General, 160 North LaSalle St., Suite N1000, Chicago, Illinois  
60601;  
Douglas F. Gansler, Attorney General of the State of Maryland, Office of  
Attorney General, 300 West Preston St. Room 302, Baltimore, Maryland  
21201;  
Robert M. McKenna, Attorney General of the State of Washington, 7141  
Cleanwater Dr. SW, PO Box 40124, Olympia, Washington 98504

an answer to the complaint which is served on you with this summons, within 60 days after service  
of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you  
for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the  
Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

OCT 04 2007

DATE

(By) DEPT OF STATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE October 5, 2007	
NAME OF SERVER (PRINT) <b>JUDITH M. YOUNG</b>	TITLE <b>Legal Assistant 1</b>	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted:		
<input checked="" type="checkbox"/> I served a true & correct copy of the Summons & Complaint <input type="checkbox"/> Other (specify): <b>upon the following: U.S. Dep't of Health &amp; Human Services. (Defendant) 200 Independence Ave. S.W. Washington, DC 20201. Via U.S. Certified Mail. (Tracking #7005-0390-0002-4510-8916)</b>		
STATEMENT OF SERVICE FEES		
TRAVEL <b>N/A</b>	SERVICES <b>N/A</b>	TOTAL <b>\$0.00</b>
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>October 9, 2007</u> Date	<u>Judith M. Young</u> <small>Signature of Server</small> <b>ANDREW M. CUOMO</b> Attorney General of the State of New York Attorney for Plaintiff State of New York <small>Address of Server</small> -120 Broadway, 24th Floor New York, New York 10271. Peter A. Sistrum, Assistant Attorney General <u>(of counsel)</u>	
A true & correct copy of the Summons and Complaint was also served on October 5, 2007 upon: Peter D. Keisler, Acting United States Attorney General United States Department of Justice 950 Pennsylvania Avenue Washington, D.C. 20530 <i>JMY 10/9/07</i> (Via U.S. Certified Mail, Tracking # 7005-0390-0002-4510-8909)		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.